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7 Principal, California Water Research

8 **BEFORE THE**  
9 **CALIFORNIA STATE WATER RESOURCES CONTROL BOARD**

10 HEARING IN THE MATTER OF  
11 CALIFORNIA DEPARTMENT OF WATER  
12 RESOURCES AND UNITED STATES  
13 BUREAU OF RECLAMATION  
14 REQUEST FOR A CHANGE IN POINT OF  
15 DIVERSION FOR CALIFORNIA WATER  
16 FIX

17 **NOTICE OF AVAILABILITY**  
18 **AND SUBMISSION OF**  
19 **REMAINING PART 2 CROSS-**  
20 **EXAMINATION EXHIBITS INTO**  
21 **EVIDENCE**

22 Protestant Deirdre Des Jardins, principal at California Water Research (“California Water  
23 Research”) hereby provides notice that exhibits DDJ-286 through DDJ-290, introduced in cross-  
24 examination of Nicky Suard and Patrick Porgans on April 20, 2018, and served on the Hearing  
25 parties on April 23, 2018, are available on the WaterFix Hearing exhibit web page. California Water  
26 Research hereby moves that exhibits DDJ-286 through DDJ-290 be accepted into evidence.  
27 California Water Research’s cumulative exhibit list through April 23, 2018 was served on the  
28 Hearing Parties on April 23, 2018 and is also attached to this submission.

California Water Research provides the following description of exhibits DDJ-286 through  
DDJ-290 and their relation to cross-examination testimony. Exhibits DDJ-287 through DDJ-290  
have indicia of authenticity. California Water Research will authenticate Exhibit DDJ-286, if  
necessary, on rebuttal.

- 1 1. Exhibit DDJ-286 provides a graphical timeline and brief description of the Oroville  
2 Spillway incident, which Ms. Suard referred to in her written testimony for Snug Harbor  
3 Resorts, and was introduced in cross-examination of Ms. Suard on the effects of the  
4 Oroville Spillway incident on Snug Harbor Resort.
- 5 2. Exhibit DDJ-288 is a copy of the 2007 memorandum from the Department of Fish and  
6 Game (“DFG”) on Mitigation Loss Calculations for the Four Pumps Agreement,  
7 introduced in cross-examination of Mr. Porgans on his testimony on the magnitude of  
8 direct losses of fish at the South Delta pumps. Exhibit DDJ-288 is an official record of  
9 the Department of Fish and Wildlife (formerly DFG), and as such, is exempt from  
10 hearsay.
- 11 3. Exhibit DDJ-289 is a copy of the Bureau of Reclamation’s December 2003 memo,  
12 Guidance for Interpretation of Section 3406(b)(2) of the CVPIA, introduced in cross-  
13 examination of Patrick Porgans on his testimony on the 1992 CVPIA mandate of flows to  
14 protect fisheries. Exhibit DDJ-289 is an official record of the Bureau of Reclamation,  
15 and as such, exempt from hearsay.
- 16 4. Exhibit DDJ-290 is a copy of the 2008 report of the CVPIA Independent Review Panel,  
17 also introduced in cross-examination of Mr. Porgans on his testimony on the CVPIA  
18 mandate of flows to protect fisheries. Exhibit DDJ-290 is an official record of the U.S.  
19 Bureau of Reclamation, and as such, exempt from hearsay.
- 20 5. Exhibit DDJ-287 is a copy of the article by Nina Erlich-Williams on the 2017 State of  
21 Salmonids Report, introduced in cross-examination of Mr. Porgans on the basis for his  
22 concern about flows to protect salmon.

1 Respectfully submitted

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4 Deirdre Des Jardins  
5 Principal, California Water Research

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7 Dated: April 25, 2017

